

REMOVAL OF INDIANS WESTWARD.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

*Upon the subject of the contemplated removal of the Indians to the west
of the river Mississippi.*

FEBRUARY 16, 1832.

Referred to the Committee on Indian Affairs.

WASHINGTON, 15th of February, 1832.

To the Senate and House of Representatives:

Being more and more convinced that the destiny of the Indians within the settled portion of the United States, depends upon their entire and speedy migration to the country west of the Mississippi, set apart for their permanent residence, I am anxious that all the arrangements necessary to the complete execution of the plan of removal, and to the ultimate security and improvement of the Indians, should be made without further delay. Those who have already removed, and are removing, are sufficiently numerous to engage the serious attention of the Government; and it is due not less to them, than to the obligation which the nation has assumed, that every reasonable step should be taken to fulfil the expectations that have been held out to them. Many of those who yet remain, will, no doubt, within a short period, become sensible that the course recommended is the only one which promises stability or improvement; and it is to be hoped that all of them will realize this truth, and unite with their brethren beyond the Mississippi. Should they do so, there would then be no question of jurisdiction to prevent the Government from exercising such a general control over their affairs, as may be essential to their interest and safety. Should any of them, however, repel the offer of removal, they are free to remain; but they must remain with such privileges and disabilities as the respective States, within whose jurisdiction they live, may prescribe.

I transmit herewith a report from the Secretary of War, which presents a general outline of the progress that has already been made in this work, and of all that remains to be done. It will be perceived, that much information is yet necessary for the faithful performance of the duties of the Government, without which it will be impossible to provide for the execu-

tion of some of the existing stipulations, or make those prudential arrangements upon which the final success of the whole movement, so far as relates to the Indians themselves, must depend.

I recommend the subject to the attention of Congress, in the hope that the suggestions in this report may be found useful, and that provision may be made for the appointment of the commissioners therein referred to; and for vesting them with such authority, as may be necessary to the satisfactory performance of the important duties proposed to be entrusted to them.

ANDREW JACKSON.

(Copy.)

To his Excellency ANDREW JACKSON,
President of the United States:

FATHER: We, the chiefs and head warriors of the Creek nation west of Arkansas Territory, having met in council for the purpose of taking into consideration such measures as might add to the happiness and security of our nation, have concluded to send you this our talk, which we hope you will communicate to the Great Council of the United States' Government, when they meet at Washington city, in December next.

FATHER: When we removed from the land of our forefathers, agreeably to our treaty with the Government of the United States, we left behind us the bones of those whose memory we held most sacred; the scenes of our youth are still dear to us, and causes us to regret that stern necessity and misfortune has driven us into this western wilderness. We however trust to the vigorous support and protection of the Government of the United States, as was promised in our treaty; and we rely upon the sympathetic feeling of our white brothers, in supporting us, when we only ask what is just. We knew that we were coming to a land of strangers, and that our intended neighbors were red brothers, who had not received the advantage of civilization as we, and the rest of your red children, who had resided east of the Mississippi. These wild Indians depend almost altogether upon the chase for support, and their glory is war. We are anxious to pursue a different course. Our object is to cultivate the land, to support our families by our industry, and to preserve peace not only with our white, but with our red brothers. We are, however, subject to depredations from small bands of those Indians who live in our southern and western frontiers, which keep us in continual alarm for the safety of our people, more particularly our women and children. These small bands generally make their attack at night; and, before the alarm can be given, their escape is almost certain, as they are so well acquainted with the country.

FATHER: Our object in making this appeal to you is, that we hope you will recommend to Congress to appoint commissioners, with the power of making selections of deputations from different tribes west of the Mississippi, to hold a general council, with the view of making such arrangements as that peace may hereafter be preserved amongst the different tribes, and as we are convinced that the success of such an undertaking, depends much upon the selection of those who are to compose the commission:

We do unanimously recommend our friend, Colonel Augustin P. Chau-

teau, of St. Louis, Missouri, to be one of the commissioners, as we have full confidence in his integrity and knowledge of the tribes, languages, manners, customs, &c. which qualifies him, in a superior manner, for so responsible a duty.

FATHER: This, as far as we have been able to ascertain, is the general wish of the Creeks, Cherokees, and Osages; and we hope that you will listen to the voice of your red children.

Witness our hands and seals, in council, this twenty-ninth day of October, 1831.

Roley McIntosh,	his x mark,
Chilly McIntosh,	
Tubby Hatchee Micco,	his x mark,
Cowarcutchee Emauthla,	his x mark,
Hothlepoie Tustenuggee,	his x mark,
Spohoke Harjo,	his x mark,
Hospetark Harjo,	his x mark,
Ista Charco Micco,	his x mark,
Hillabee Tustenuggee,	his x mark,
Samuel Perryman,	his x mark,
Tuckabatchee Harjo,	his x mark,
Ista Charco Harjo,	his x mark,
Hollata Thlocco,	his x mark,
Co Emauthla,	his x mark,
Coosa Yahola,	his x mark,
Tuskenehaw,	his x mark,
Tom Stedham,	his x mark,
Sacota Tustenuggee,	his x mark,
Nocosee Tustenuggee,	his x mark.

Witness present:

THOS. ANTHONY, *Acting U. S. Sub-agent for Osages.*

BENJAMIN HAWKINS.

DEPARTMENT OF WAR, *February 16, 1832.*

SIR: In submitting to you the accompanying memorial from the Creek Indians west of the Mississippi, I beg leave to draw your attention to the various circumstances connected with the general removal of the Indians, and with their permanent establishment in the region assigned to them.

That the plan of emigration offers to this race the only hope of ultimate security and improvement, is a truth which the experience of every day renders more and more obvious. As this great work is now in progress, it is necessary the Government should examine what has been done, and determine what they have yet to do, that the difficulties which have already arisen, and are likely to arise, may, as far as possible, be obviated.

Agreeably to the best estimate that can be made at this department, the following is the number of Indians who have already migrated to that region:

Creeks,	-	-	-	-	-	2,500
Choctaws,	-	-	-	-	-	6,000
Cherokees,	-	-	-	-	-	3,500
Delawares,	-	-	-	-	-	3,000

Shawnese, -	-	-	-	-	-	1,500
Kickapoos, -	-	-	-	-	-	1,800
Kaskaskias, }						
Piankeshaws, }	-	-	-	-	-	400
Peorias, }						
Weas, -	-	-	-	-	-	350
Senecas, -	-	-	-	-	-	340

Making an aggregate of nineteen thousand three hundred and ninety.

In conformity with existing treaty stipulations, about twelve thousand Choctaws will probably be added to this number within the present year, though, possibly, the departure of some of them may be delayed until the next; and, should the arrangement, provisionally made with the Chickasaws, become absolute, and be ratified by the Government, together with the treaties recently concluded in Ohio, the number of emigrants, during this season, may be estimated as follows:

Choctaws, -	-	-	-	-	-	12,000
Chickasaws, -	-	-	-	-	-	3,500
Shawnese, -	-	-	-	-	-	350
Shawnese and Senecas, -	-	-	-	-	-	320
Ottawas, -	-	-	-	-	-	400
						16,570

There would then remain, east of the Mississippi, and south of the Territory of Michigan, the following tribes and portions of tribes, who will probably, ere long, feel the necessity of joining their countrymen in the same region:

Creeks, -	-	-	-	-	-	20,000
Cherokees, -	-	-	-	-	-	11,000
Florida Indians, -	-	-	-	-	-	4,000
Miamis, -	-	-	-	-	-	1,000
Wyandots, -	-	-	-	-	-	450
						36,450

The Indians upon the peninsula of Michigan, and between Lake Michigan and the Mississippi, together with their kindred bands, in the northern parts of Indiana and Illinois, will probably seek a final residence in the country, considerably west of that river, and far enough north of the State of Missouri, to be beyond the reach of our frontier settlements.

It will thus be seen, that the country south of the Missouri river, and west of the State of Missouri and the Territory of Arkansas, which has been purchased by the United States from the original occupants, for the purpose of division among the emigrated Indians, and with a view to their final establishment, will contain, when this measure is accomplished, a population of seventy thousand four hundred and ten persons.

It is impossible, in the present imperfect state of our knowledge of the topography of that country, to ascertain, with much precision, the quantity of land heretofore ceded to the United States, the quantity already granted to the transplanted bands, or that which still remains for future assignment. The aggregate amount may however be estimated, from the best materials

in the possession of the department, at one hundred millions of acres. Of these, there have already been granted, in round numbers, to the

Creeks,*	-	-	-	-	-	4,000,000
Choctaws,	-	-	-	-	-	21,000,000
Cherokees,	-	-	-	-	-	7,000,000
Osages,	-	-	-	-	-	8,000,000
Kansas,	-	-	-	-	-	6,300,000
Shawnese,	-	-	-	-	-	1,500,000
Delawares,	-	-	-	-	-	2,000,000
Piankeshaws,	-	-	-	-	-	300,000

Making an aggregate of about fifty millions already allotted, and leaving nearly fifty millions unappropriated.

The whole district, excluding the Osages and Kansas, who are of the original trans-Mississippi stock, and subtracting the quantity retained by them, would allow fourteen hundred acres for each individual; an extent of possession, utterly useless to them, and wholly disproportionate to their numbers. It is to be remarked, however, that a large portion of this region consists of prairie country, entirely destitute of timber, and valuable only as the place of support and refuge for the immense herds of buffaloes and other animals, who periodically inhabit it. Still the margins of all the water courses are covered with timber, and the bottom lands are said to be equal in fertility to any in the Union. Mr. McCoy, a clergyman of great probity, judgment, and discretion, who has been some time employed in the examination and survey of this country, with a view to its partition among the tribes as they arrive, has recently reported, "that there is more land already assigned to the Cherokees, than will be sufficient for all the tribes on both sides of the Mississippi; and that if the Creeks get no land on the south of Arkansas river, their country will, nevertheless, be sufficiently large and good for all the tribe, including the Seminoles."

But the Indians are so ignorant of the quantity of land which is necessary for them, that it is very difficult to persuade them to reduce their extravagant demands to a rational standard. Unless a country is defined by natural boundaries, known to them, they cannot easily form an estimate of its extent. It would therefore be prudent, whenever they ask more than ought to be granted, to permit some of their most intelligent men to examine the country, and satisfy themselves that the tract offered is as large as they could desire, and always, in fact, larger than their present, or probable future necessities can require. These pretensions have already embarrassed the operations of the Government, and delayed the removal of the Indians.

The Choctaws and Chickasaws are kindred tribes, connected by blood and language, and it is very desirable that a union should take place, and that they should inhabit the same country. The former, as has been shown, have been allowed 21,000,000 of acres, giving more than twelve hundred acres to each individual; and yet the Government have not been able to induce them to admit this kindred band into their country. This difficulty retards the ratification and execution of the Chickasaw treaty.

The business of emigration commenced before we had much knowledge of the country; and the tribes first arriving, were placed in the State of Missouri and in the Territory of Arkansas, whence, with the exception of the

* This is a vague estimate, and includes only the country north and west of the Cherokee lands, which is not disputed. The Creek claim is larger.

Kickapoos, they were transferred, from time to time, to their present locations, as satisfactory arrangements could be made for that purpose. This tribe hold about 2,800,000 acres in that State, and should also be removed as speedily as possible. The country between the Red river and the Arkansas, has been assigned to the Choctaws, and is sufficiently defined by natural boundaries to preclude dispute. Between the Arkansas and the Canadian rivers, including about 800,000 acres, north of the former river, is the district intended for the Cherokees; and north also of that river, and extending to the Osage reservation, is that intended for the Creeks. But, between these tribes, there is yet a question of boundary to adjust; and, it is important to both, that the adjustment should speedily be made.

By the treaty of 1826, with the Creeks, the previous stipulations of the treaty of 1825 were annulled, and a deputation of five persons was authorized to be sent by them to examine the country west of the Mississippi, not within either of the States or Territories, nor possessed by the Choctaws or Cherokees. And it was also provided, that the United States should purchase for them, if it could be conveniently done upon reasonable terms, wherever they might select, a country whose extent should, in the opinion of the President, be proportioned to their numbers; and, if such purchase could not be thus effected, the selection was to be made where the President might think proper, reference being had to the wishes of the emigrating party.

This arrangement yet remains open, and, although many of the Creeks have removed, still their definite boundaries have not been established. They are principally settled upon the south side of the Arkansas, and within the district assigned to the Cherokees, by the treaty of 1828. This last treaty appears to have been concluded, when we had not a correct knowledge of the location of the Creek Indians, nor of the features of the country, and actually includes many of their settlements within its limits. In the ratification by the Senate, however, it is provided "that nothing in the said convention shall be construed to cede, or assign to the Cherokees, any lands heretofore ceded or assigned to any tribe, or tribes of Indians, by any treaty now existing and in force, with any such tribe or tribes."

In this situation, the question now remains; and it is one of the subjects, for whose adjustment I shall submit a proposition in this report.

In the district north of this region, where the tribes from the country between the Ohio and the lakes, and east of the Mississippi, are directing their course, much detailed information is required to enable the department to adopt those previous measures, which will alone give satisfaction to the Indians, and preserve the public faith. Places of residence, sufficiently extensive, and marked by definite boundaries, should be assigned to each of these tribes. Unless this is done, great confusion and dissatisfaction will be the consequence.

I cannot, from the information within my reach, state distinctly the location of some of the smaller tribes, who have crossed the Mississippi, nor the proper district to be appropriated for the northwestern Indians, who are yet to go. These subjects require further investigation, and will form a part of the duties to be assigned to the commissioners, whose appointment I shall submit to you, should the measure be sanctioned by Congress.

The time seems to have arrived, when some definite plan should be matured and adopted for the encouragement, security, and government of the Indians, in the position which has been assigned to them, and for the pro-

tection of our frontier, in their immediate vicinity. It can neither be doubted nor concealed, that the experiment which is in progress, of transplanting, from the districts they now occupy, to the region adjoining the western States and Territories, the remnants of our aboriginal tribes, brings with it a serious responsibility. Circumstances, beyond the control of the Government or the nation, which may be traced to the earliest period of the intercourse between the Europeans and the Indians of this continent, and which are yet in active operation, have reduced this once powerful race to a condition, which seems to leave no alternative between extinction, and immediate removal. They are, themselves, becoming gradually aware of the evils of their present position, and of their consequences; and, as this conviction is, from time to time, felt, and they are voluntarily disposed to accept the offers made to them, they will be successively transferred to the country selected for their ultimate residence. This change of sentiment is evident, from the arrangements made within the last two years; during which period, absolute or conditional treaties have been concluded with the Chocktaws, Chickasaws, Shawnese, Senecas, Ottawas, and Wyandots.

As the efforts of the Government to form a treaty with the ruling party of the Cherokees of Georgia, for the removal of the whole tribe, have been fruitless, from causes sufficiently obvious, it has been deemed expedient, under the stipulations of the treaty of 1828, to endeavor to make arrangements for this object, with such of them, individually, as may be desirous of emigrating. By the latest returns which have been received, about six hundred and fifty had enrolled themselves, and were nearly prepared for the journey. Two causes have operated to prevent all the success which was anticipated from this measure.

The Indians are easily swayed by others, and, like children, if immediate possession of a favorite object is not attained, it loses much of its value in their estimation. Among other stipulations of the treaty of 1828, it was provided, that the amount of their improvements should be paid to them; and the object doubtless was, that a fund might be furnished to enable them to improve their land, and provide for their future support, under the peculiar circumstances in which they were about to be placed. You directed, and wisely and humanely too, that this money should not be paid to them, till they reached their destined residence, under the impression, founded upon a perfect knowledge of the Indian character, that, if received previously to their departure, it would be expended long before the termination of their journey, and upon objects equally injurious to their health and morals. But they, neither appreciating the motive, nor fearing the evil, have insisted upon this previous payment, influenced, no doubt, as well by the suggestions of bad men among them, who are desirous of procuring the money, as by their own propensities. This point will be yielded with great reluctance, and only when the result shall demonstrate, that the choice lies between remaining, with its certain evils, and removing, with its probable advantages.

But, besides this, the interference of the party which holds the ascendancy, has, agreeably to the report of the officer charged with the superintendence of the business of emigration, been exerted to prevent the success of the measure.

That they should resort to argument and persuasion to retain their people, was, perhaps, to be expected; though it is difficult to conceive why they should not cheerfully grant them the same right to go, which they them-

selves claim to stay. But the matter has assumed a far more serious aspect than this. The superintendent reports, that the influential chiefs have endeavored to destroy all confidence in the assurances of the Government, and that most of the persons desirous of removing, are of the poorer class, who are in debt to the former, and who are intimidated by the terrors of the law, from following their real inclination. He states, that one at least has been beat for enrolling, and that threats of personal violence have been used. And, under date of January 6, 1832, he says, "since my last communication to the department, about sixty or seventy full-blooded Cherokees have enrolled; a circumstance which has produced considerable consternation among the nominal counsellors. Runners have since been despatched, riding night and day, to persuade; and, where the promise of reward fails, indirect threats of punishment have been employed to arrest a disposition more favorable to emigration with the common people, than has been manifested at any former period. I am apprehensive, however, that, by the devices of these chiefs, the great body will determine to delay their enrolment, until the result of the efforts before the present Congress is known here; and then it will be too late for them to reach their intended new homes, in time to make crops for the next season.

"Hints have reached my ears, from sources entitled to credit, that the delegation will propose a treaty, in the event of a failure to regain their ancient privileges here. There are many individuals, who, on account of their indifference on the subject of emigration, have incurred the displeasure of the ruling party, (which is composed of connexions by consanguinity.) These obnoxious men, as well as some who are still more so, on account of their friendly feelings to the policy of Indian removals, desire, in case a treaty should be made, that the Cherokee delegation from Arkansas should be present, and have a voice therein. This would have a tendency to their future union, national peace, and fraternal friendship."

He adds, "Attempts have been made to burn the buildings on Shepard's farm, and his kitchen was actually consumed.* One of the head men, has been using his influence to get other emigrants to burn up their improvements, offering to pay them the valuation by the assessors, out of his own purse." He inquires, also, whether he can be authorized to interfere, and rescue for the emigrants, property unjustly withheld from them by Cherokees in other States, (where their laws are in force,) where the Cherokee court, on account of manifest prejudice towards the emigrants, have delayed the administration of justice.

All this indicates a state of things, little favorable to the toleration of the ruling Cherokees, who, not satisfied with remaining, are endeavoring to deter their countrymen from following the course pointed out by their own inclination, as well as by every dictate of prudence.

The statistical facts already presented, show that the region assigned for the residence of the Indians, is amply sufficient, whether they are to become an agricultural, or are to remain a hunting people. An equal division of the whole country would give, as before explained, fourteen hundred acres to each man, woman, and child, of the various tribes, for whose residence it is destined; and they would possess a region well adapted, in many places, to the purposes of agriculture, and, in others, to the pursuit of those animals, which Providence seems to have supplied, in countless numbers, for

* The name of the head man, is given by the superintendent, in his report.

the subsistence and clothing of the Indians, and for the houses which shelter them. A country stretching, in fact, to the base of the Rocky mountains, and with only here and there a few wandering bands to roam over it.

The territory appropriated for emigrating Indians, extending over six and a half degrees of latitude, and seven degrees of longitude, offers a sufficient variety of climate, for a proper adaptation to the previous habits of the emigrants. And a comparison of the productions and condition of the eastern and western Creeks, will show the superior advantages which are held out for removal, if inveterate prejudices among some of the tribes, and if the hopes or the possession of personal aggrandizement among the chiefs, can be made to yield to the only means of preservation in our power to tender, or in theirs to accept. There is now in this city, a deputation of Creek chiefs from Alabama, influential men, who are accompanied by a friend, Colonel Brodnax, perfectly acquainted with the circumstances of the tribe. He stated to me, in the presence of these chiefs, that a large portion of their people had been, during the past season, in a state of the utmost wretchedness; totally destitute of provisions, and actually living, or rather starving, upon roots and bark. Such, too, he said, would be their condition, after their corn was exhausted, probably in the month of April, and until the new crop shall be ready for consumption.

Still worse is the situation of the Florida Indians. The following memorial, addressed by them to the agent, depicts their misery in strong terms:

SEMINOLE AGENCY, *October 20, 1831.*

“We, the undersigned, chiefs and head men of the Seminole Indians, assembled in council, request the agent to represent to the Government, that the long and severe drought in the spring and summer, entirely destroyed our crops of corn, leaving us nothing but the prospect of starvation and suffering, during the ensuing winter. Knowing the favorable sentiments of the Government towards us, we feel it our duty to ask you to use your best exertions to make known our situation to the President; and, if possible, obtain for us a sufficient supply of corn, until the next crop.” The agent certifies to the truth of this representation, and estimates the quantity necessary for their relief, at 8,000 bushels. Similar applications have already been made and granted, for this tribe; and upwards of \$120,000 have been expended by the Government, within a few years, for their subsistence; and they will sink into utter imbecility, if they remain much longer where they now are, and if this system of occasional gratuities be continued. It is represented that the Creeks, west of the Mississippi, are prosperous; and the Commissary General has been informed, that they were ready, the last autumn, to furnish his agents with 50,000 bushels of corn for the supply of the emigrating Indians.

And I have no doubt, from information I have received, that the condition of a numerous class of the Georgia Cherokees, during a portion of the year, is very wretched, and that they also are frequently destitute of the means of subsistence. Indolence and improvidence are the characteristics of the Indian race, and few are exempt from their operation and effects, where these are aided by the general use of ardent spirits. Unless I am deceived, the comfort and improvement of these Cherokees are confined within much narrower limits, than their influential men have assigned for them. It will be seen by the following report from Mr. McCoy, that the happiest consequences have already resulted from the emigration of both Creeks and

Cherokees. Their withdrawal from the temptation and influence of ardent spirits, the stability of their prospects, and the consequent stimulus given to their exertions, have changed their condition, and, if continued, will soon change their character. The testimony of a witness so well qualified to judge, and so unimpeachable in his motives and conduct, must be consolatory to all, who look to this experiment as a final one; and must encourage the hope, that similar effects will, in time, attend the removal of those Indians, who have yet to commence the work of improvement. Mr. McCoy, in a letter of October 22, 1831, says: "The appearance of things among the Cherokees and Creeks of this country, is similar to that in new and poor white settlements on our frontiers generally. The Indians, perhaps, have more corn growing, more cattle, fewer wagons, and less furniture in their houses, than the whites alluded to, in proportion to numbers. They make houses and fences like the whites, keep sheep and hogs, and have spinning wheels, &c. My report, in all respects, will be favorable to the plan of emigration, and to giving to *all* the Indians a territorial government."

With these facts in view, and surveying the history and prospects of the Indians, it is hazarding little to predict, that the time is near, when they will themselves be satisfied, and when the whole community will be satisfied, that the process of removal must go on, till the great object of permanent establishment is accomplished. The difficulties must yield to a provident system, and to just arrangements; and the doubts of zealous and philanthropic men, sincerely desirous of promoting the welfare of the Indians, but misapprehending the best means of effecting it, will, it is to be hoped, give way before a more thorough investigation of the subject.

There appear to me to be three great objects, the accomplishment of which is essential to the permanent prosperity of the Indians, and to the faithful discharge of those obligations, which circumstances have imposed upon the Government.

I take it for granted, it is intended this removal shall be a final one; that the Indians shall now be placed beyond the chance of future change of residence, so that they may, thenceforward, feel no uncertainty on this subject. This is the object of the guarantee the President is authorized, by the act of May 28, 1830, to give, and must be the foundation of the hopes and exertions of the Indians.

1. In the first place, ample provision should be made for their removal, their temporary subsistence, and their eventual improvement.

2. In the second place, the principles of the intercourse between them and the citizens of the United States, should be clearly defined, and a system of general superintendence established.

3. And, in the third place, every necessary arrangement should be made, to prevent hostilities between any of the tribes, whether emigrant or indigenous, and for the protection of our frontiers.

1. With respect to their removal and temporary subsistence, no farther legislation is at present required. The necessary appropriations being, from time to time, made, the mode of effecting the object, is matter of executive regulation; and, as experience is acquired, the system itself, and the plan of administration, will be gradually improved. Whether the term of one year, now prescribed as the period to which the issue of provisions to the Indians, after their arrival at their new homes, shall be limited, is sufficient, under the circumstances in which they will be placed, can only be determined by experience. It is probable, that some distinction may be found

proper, and that to a portion, favorably situated, this may be enough; while to others, who have made less advance in improvement, or who may have been less fortunate in their selections, partial assistance, for a longer term, may be found necessary; but time will enable the Government to form a correct opinion upon this subject, and to fix a just medium between the danger of rendering the Indians dependant on these supplies, and the privations and difficulties to which they must be exposed.

The question of improvement, presents a subject more doubtful in itself, and involving more important considerations. It is susceptible of two views: one affecting the moral, social, and political condition of the Indians; and the other, their physical condition.

In the earlier periods of Indian history, the efforts upon this subject were directed principally to the former; with what little effect, it is not necessary to inquire. But the error of the plan is obvious, and the issue is before us.

To collect savage men together, who are ignorant of the very first rudiments of civilization, who have, in fact, neither government, law, religion, property, arts, nor manufactures; who are actuated by impulse, and not by reflection; by whom the past and the future are almost equally disregarded, and to teach them abstract principles, is a process which seems, on calm reflection, to promise as little as it has performed. Improvements in the system have been recently made, and the operations are now conducted upon more rational principles, and with a better prospect of partial success. There can be little doubt, however, but that the first effort towards any profitable change in the situation of the Indians, should be directed to the improvement of their physical condition. Without this essential prerequisite, the expectations of the country, and the exertions of the Government, will be equally vain.

A new scene and new prospects are opening upon the Indians, and the most lasting effects will probably attend the first measure that may be adopted. At present, the law merely provides for their transportation and temporary subsistence, leaving, either to accident or future legislation, all the details connected with their permanent establishment and mode of life. Shall their land be divided, and held in severalty? Shall they be induced to cultivate it, and aided in its cultivation? Shall efforts be made to persuade them to abandon the chase, and to depend upon tillage for subsistence? And, if so, what shall be the details of a plan for effecting these objects?

These inquiries are important, but, unfortunately, the facts in the possession of the Government, are not sufficient to justify a decision upon the various topics involved in them. Certain it is, that there is a predisposition, among all uncivilized men, for the hunter state. Its alternations are exciting; and there is a strong probability, that many of our emigrants will relapse into it, unless this tendency is counteracted by other inducements. If these are to be applied, I am satisfied they must be applied, not only prudently, but vigorously. It is certain, if these Indians were established in a fertile country, with a small portion of cultivable land assigned to each family, and a few domestic animals and implements of agriculture, that they might, with reasonable industry, live more comfortably than they have heretofore done, and as much so, as their best friends might desire. There is a portion of some of the southern tribes, who appreciate the importance of this mode of life, and will pursue it; but the great body of the aboriginal race, victims to their indolence and improvidence, are not immediately

prepared for these exertions, nor capable of estimating their value. Shall the Government decide for them, and adopt such measures as will necessarily lead to an agricultural life? This can scarcely be effected without some species of compulsion, nor without a total interdiction of the use of fire-arms; and, although such measures might, and I think would, ultimately be beneficial, still the process would be novel, and to many unpleasant. All experience has shown the difficulty of changing the manners of Nomadic tribes; and the result, in this country, but confirms the previous lesson. Most of the tribes who have removed, or who will remove, receive annuities from the United States. These annuities are the consideration of the country ceded by them, and are generally payable in specie, and many of them are permanent in their duration. They are divided among the different individuals, who are annually collected, at considerable expense to the United States, to receive them.

I consider the system of permanent annuities, radically erroneous; entailing an unnecessary burthen upon the Government, and productive of absolute injury to many of the Indians. There are but two modes in which they can be paid; one is to the chiefs, and the other, by an equal partition. The latter has generally prevailed in the northwest, and is probably liable to the fewest exceptions; at all events, it is more just in itself, and more satisfactory to the Indians. The money is, at any rate, received by those to whom it is due; though, unfortunately, it is too often misapplied. If paid to the chiefs, great fraud would, in many cases, be the consequence, and vindictive feelings would be engendered, leading to scenes of violence, but too familiar to all who have gathered their knowledge of Indian manners, from an actual observation of Indian society.

It is very probable, that many of the tribes would commute these annual payments, for an immediate gross sum; but they ought not to be allowed to do this. The amount paid would be immediately expended, and too often upon improper objects; and, being large, would do incalculable injury.

But, if they could be induced to consent to an arrangement by which a just commutation could be effected, and the proceeds applied to the improvement and cultivation of land, and to objects connected with a stationary agricultural life, an important and favorable change in their condition might be anticipated.

I shall, in the sequel, submit for your consideration, a proposition for the collection of all the information upon the preceding subjects, which may be necessary for the action of Congress, or of the Executive.

2. Some general plan of government and intercourse, is indispensable for the security of the Indians, and of our citizens. The intercourse act of 1802, is entirely inapplicable to the circumstances in which the Indians, west of the Mississippi, are, and will be placed. A new state of things has arisen, and, with it, must come a new system of intercommunication.

We are about to place the Indians together upon our frontiers; to guarantee to them permanent possession of their lands; to relinquish all attempts to procure future cessions, or to press our settlements upon them. The national faith is solemnly pledged to do this, and it will be done.

One leading motive for the great experiment in progress, is the desire of removing the Indians from the immediate contact of our settlements. To this, much of their misery may be attributed. Ardent spirits have been their bane, since the discovery of the continent. No one who is unac-

acquainted with them, can form any adequate conception of their utter abandonment to the vice of intoxication. Men, women, and children, all, and at all times, are its slaves, and its victims. Property, health, life, every thing, is sacrificed to it. Nor is the habit, or rather the passion, a temporary or periodical one. It is in constant operation, and its gratification is limited only by the means of indulgence. There are, no doubt, exceptions to this general view, and more in some tribes than in others. But they are too few, to bear upon any comprehensive estimate of the effects of ardent spirits upon the condition of that portion of the Indians who reside within, or near, our settlements. And, when we reflect, that, among most of the tribes, there is neither law, public opinion, religion, morality, the desire of acquisition, nor the fear of suffering, which can interpose any restraint upon the indulgence of this vice, it may be the less difficult to appreciate, in some measure, its operation.

Unless, therefore, this destructive article can be kept from their country, we may remove, but we shall never renovate them. Their whole history teaches this important lesson; and the inquiry naturally arises, how is this exclusion to be effected? Certainly, not by the exercise of the usual jurisdiction of courts of law. The institution of suits, the collection and examination of Indian testimony, and the uncertainty of the trials, would form but a feeble barrier against an evil of this magnitude, whose progress so many are interested to promote. Very summary authority must be given to the Government, which may be instituted over the emigrant tribes, to prevent and punish all attempts of this nature, within the country assigned to its jurisdiction. Too many of our own people are disposed to sell, and almost all the Indians to buy this article of traffic; and the necessary restraints must be rigidly executed, to prevent an interchange so desirable to both.

In the establishment of any general system of superintendence or government over these Indians, there are two leading objects to be kept in view. First, the regulation of the intercourse between them and our citizens.

And, second, such a control as may be necessary to the preservation of order among them.

An interdict upon all communication between our citizens and the Indians, except so far as may be necessary for the comfort and improvement of the latter, is an essential part of any plan for their permanent establishment. The question is one which merits consideration, solely as it affects them. The pecuniary value to the country, of any interchange of articles with them, is entitled to no weight, in a just view of this matter. Unfortunately, the traffic already subsisting, while it has introduced some useful articles of manufacture, has introduced also our vices, and the desire and the means of indulging them. Happy would it be for the Indians, if, by abandoning the former, they could be relieved from the latter.

In the organization of a system of general superintendence over the Indians, their peculiar condition must be kept in view. We must judge for them, and act for them; and the interference of the Government must be regulated, not by speculative notions, but by practical views. Their situation is anomalous, and so must be the principles of our interference. They are in the rudest state of barbarism, with habits and institutions which disqualify them for the peaceful pursuits of life; without knowledge to comprehend their duties, or moral or religious principles, by which these can be regulated. A general control over them is not less essential to their safety and ours, than it is to any rational hope of meliorating their condition. Some of the tribes have made greater advances than others, towards improve-

ment, and are probably better qualified to participate in the administration of their own government. But, I am satisfied, that, among the most favored, there are few who approach even the lowest standard of Indian improvement, that is offered or promised to the community.

In exercising supervisory authority over these people, the plan must be efficient and simple: but few persons should be concerned in its execution. A central power, with enlarged discretion, and committed to a few men of high character, and acknowledged probity, and supported by a competent military force, appears to me to present, at the commencement of the undertaking, the best prospects of success. Very few subordinate agents will be required, for all movements must be prompt, and the Indians will soon learn the necessity of submission, and the value of the security which this brings with it; and, it is certain, that nothing but the display of a respectable force, and the vigorous execution of the system that may be adopted, will effect this object. Survey the subject as we may, to this conclusion we shall be led by the whole tenor of Indian history.

Such an arrangement will enable the Government to dispense with the services of a numerous class of officers, who are now employed as agents, sub-agents, and interpreters, in consequence of the dispersed condition of the Indians, in managing the necessary intercourse with them. This measure will lead to the reduction of a heavy expense, not only by the abolition of the salaries of these officers, but also by a corresponding reduction in the amount of the various objects of intercourse, both fixed and contingent; and will eventually render unnecessary, most of the appropriations which are now made for the Indian department, with the exception of the treaty stipulations, provided for the benefit of the Indians. In fact, after the present year, this diminution may be made in some of those sections of the country whence the Indians are emigrating.

Whatever general system may be adopted for the government of the Indians, it is advisable that they should participate in its administration, as far as they may be qualified for such a task. The extent of this participation can only be determined by actual observation, and will be greater among some of the tribes than others, in proportion to their improvement in knowledge; but something may be allowed to each, and we may indulge the hope, that, eventually, all will be prepared for the work of self-government. The objects of general superintendence, so far as respects the internal concerns of each tribe, would be confined, in a great measure, to the prevention and punishment of injuries. There is so little private property among the Indians, and the little of what there is, depends so much upon actual possession, that disputes upon that subject are almost unknown. As to trade, and credit, and collection of debts, and the immense variety of questions to which these give rise, if not entirely unknown in general Indian polity, they are not, among most of the tribes, objects admitting regulations.

3. The prevention of hostilities among the Indians themselves, and between them and our frontier settlers, is a subject not inferior in importance to their civilization or government.

We are about to bring into contact with one another, tribes which have heretofore been separated by distant intervals, and many of whom are hereditary enemies. Every proper precaution, therefore, should be taken, to prevent any ill effects from their contiguity of situation, and predisposition to war.

In looking back upon their history, it must be obvious, that there is some

strong exciting cause, which impels this race to hostilities. Wars, without definite object, and without probable termination, have been the inheritance which many of these tribes have received from their forefathers; and, if a temporary cessation, which is in fact but an armed truce, take place, the slightest offence, or the merest caprice, will renew the contest, and frequently extend it to neighboring tribes. He, who seeks in the advance of the white man, and the recession of the Indian, the sole cause of the wars which have occurred between these races, must be ignorant of aboriginal institutions. The matter lies far deeper than this. It is a part of their system; to which their education and hopes all tend. Peace is an irksome, if not an unnatural state to them. There are but two serious occupations, to which the men can honorably devote themselves. These are war and hunting. A successful warrior is the object of general respect. From early life, the youth are taught to consider military distinction as the great prize, in the pursuit of which, life is to be spent, and death encountered.

Although these feelings have been much softened, and particularly among the nearer tribes, by their intercourse with us, still firmness and prudence will be necessary to repress the first attempts which may be made to interrupt the general harmony. With respect to the roving bands who inhabit that region, a display of force, and the occasional use of it, will, probably, for a time, be found indispensable. Already subjects of difficulty have arisen, which, however, will admit, I believe, of satisfactory adjustment, but whose occurrence should warn us of the preparation that is required.

In order to maintain that state of peace which is essential to the objects of the Government, and to the improvement of the Indians, there are four principal measures, which should be authorized and used, as circumstances may require.

1. To pay to any injured tribe, out of the annuities due to the aggressors, the amount of the injury sustained by them.

The principle of this suggestion, will be found in the intercourse act of 1802. It is there applied to our own citizens; and, as protection is now guaranteed by the United States to all the emigrants, it should be extended so as to meet any losses which they may incur from these depredations.

2. Hostages should be taken for the good conduct of a tribe, evidently disposed to commit hostilities, or, having committed them, indisposed to make the necessary arrangements either with respect to satisfaction or security.

This practice is one familiar to the Indians, and calculated to be very useful in checking their turbulent disposition. The friends and relations of the hostages at once form a strong party, determined to surrender the offenders, where such a measure is required; or to inculcate submission, where that is sufficient; and, whenever this measure is promptly resorted to, and accompanied with an evident determination to attain the object, it will probably be successful.

3. Traders should be prohibited from trading with, or supplying any tribe, whose designs there is just cause to suspect; and all white men should be recalled from their country.

When the Indians are all congregated together, west of the western limits of our settlements, this step will not be as efficacious, as in many instances it would now be; because one tribe will probably supply, to a certain extent, the wants of another. At present, there are a number of tribes dependent for their means of subsistence, upon articles which they procure from the

whites, and who would feel most sensibly their loss; and, in fact, who could scarcely exist without them. If these supplies were cut off, the refractory bands would at once yield and do justice, or suffer it to be done; and, although impediments will be thrown in the way of this procedure, still it will be useful, and will be seriously felt in its operation.

4. But, after all, the only certain way to prevent Indian hostilities, is to be prepared to punish those who undertake them. All other appeals will, at times, be found fruitless. The display of actual force is necessary; and, it is to be hoped, that provision will be made, at the present session of Congress, for mounting a portion of the army, to be employed in this service. That description of troops is admirably calculated, by the celerity of its movements, and the nature of its operations in a prairie country, to strike terror in the Indians, and their dread of it is well known. There is little doubt, that, if provision for this object is made, by stationing these troops at the proper positions, and acting promptly and vigorously whenever peace is interrupted, in a short time all these people will learn it is no less their interest, than it is the desire of the United States, that they should live quietly together.

In fact, this course is imposed upon the Government by their own voluntary obligations. In the act of May 28, 1830, which may be considered as the ground work of the emigrating policy, the President is required to protect these tribes in their new residence, against all interruption or disturbance from any other tribe or nation of Indians, &c. There is little difficulty in the faithful redemption of this pledge; and, if the proper description of force be placed at the disposal of the Executive, and a general authority given to take the measures already suggested, and others if necessary, the police of that region may be preserved, as certainly as that of our own settlements.

And, independently of the obligation growing out of this state of things, the Government is required by moral duty, to interpose its power and authority to terminate at once, and forever, these useless and ruinous contests. Enough has already been sacrificed by the Indians to their uncontrolled passions, and barbarous institutions. They have a full share of wretchedness in the life around them, without adding to this the calamities of wars, causeless in their origin, useless in their objects, and terrible in their visitations.

But, in the prosecution of the plan for the voluntary removal of the Indians, much detailed information is yet necessary, both with respect to their condition, and the topography of the country. It is desirable that the Government should ascertain distinctly the progress in improvement, which the various tribes have made, that a proper system, adapted to each, may be pursued, in directing and sustaining their efforts to procure subsistence; and, also, that the participation to which each should be admitted in self-government, may be known.

The boundaries of some of the grants are confused and contradictory, the extent of the cessions unknown, the quantity of land now at the disposal of the Government, merely conjectural, and the proper locations, for most of the tribes who are yet to go, indeterminate. Questions of importance have already arisen, and our ignorance of the features of the country has probably involved us in some difficulties not easily obviated. These will increase as the population increases, unless we take measures to apply an immediate remedy.

It is also necessary, that the indigenous tribes of that region should be

visited; that the power of the Government should be displayed among them; that the relations now springing up, should be explained; and they informed, that their new brethren are under the protection of the United States, who will defend them at all hazards, and will prevent any future contests in that quarter.

With this view, I have the honor to propose that the subject be submitted to Congress, with a recommendation for the appointment of three commissioners, to whom the whole matter may be committed. They should be men of elevated character, and of firm principles; and, if possible, with some knowledge of Indian affairs; men, in whose proceedings and decision, the Government and country can have confidence. These commissioners should be attended with sufficient detachments from our frontier posts, to overawe the disaffected, and convince all of the power of the Government. They should examine the country thoroughly; ascertain and report its extent, fertility, and advantages; adjust, if possible, the existing difficulties about boundaries; determine the proper positions of the tribes who are yet to migrate, and inquire whether farther cessions from the Indians of that country, are necessary, and can be obtained without injury to them.

They should also visit the respective tribes, and assemble the principal men together, at some convenient place or places, and cause the necessary arrangements for peace and security to be made, to the satisfaction of all.

They should examine the business of emigration, look into the conduct of all persons employed, scrutinize the expenditures, and suggest such alterations as may occur to them.

They should be directed to consider and report upon the various topics referred to in this communication; and, generally, to submit to the Government a plan, founded upon actual inquiry and observation, for the improvement, government, and security of the Indians.

In the interesting view taken of this subject, in the message of the President of the United States, of January 27, 1825, and in the accompanying report from this department, of the 24th of that month, it will be found that much of the difficulty which has since occurred, was foreseen; and that the measure of appointing three commissioners, which I have now the honor to propose, was then recommended to the attention of Congress. Had it been adopted, I am satisfied that the progress and prospects of this important plan would, at this time, have been as favorable as the Government could desire.

As it is, the measure is now essential to the farther prosecution of the work. The scene of action is remote; the people to be affected, ignorant, barbarous, and vindictive; and the principal topics of inquiry, without the sphere of ordinary observation. The Government must have possession of the necessary facts. When these are obtained, every question affecting the final disposal of the Indians, may be approached with confidence, and decided with safety.

I have the honor to be, sir,

Very respectfully,

Your obedient servant,

LEW. CASS.

To the *PRESIDENT of the United States.*